

Order No. 126/21

**MUNICIPALITY OF ROBLIN
ROBLIN WATER AND WASTEWATER UTILITY
INTERIM *EX PARTE* WATER AND WASTEWATER RATES
OPERATING DEFICITS**

November 16, 2021

**BEFORE: Shawn McCutcheon, Panel Chair
Marilyn Kapitany, B.Sc. (Hon), M. Sc., Panel Member**

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1.0 Executive Summary

By this Order, the Public Utilities Board (Board) grants approval for the request of the Municipality of Roblin (Municipality) for interim *ex parte* basis water and wastewater rates for the Roblin Water and Wastewater Utility (Utility) effective January 1, 2022.

The Board also grants approval for operating deficits for 2011, 2012, 2013, 2014, 2015, 2017 and 2018 totalling \$545,369. The Board grants approval of a \$0.58 per cubic meter rate rider for a period of seven years, or until fully recovered, whichever comes first.

The revised rates are below:

	Jan 1, 2022	Jan 1, 2023	Jan 1, 2024	Jan 1, 2025	Jan 1, 2026
Quarterly Service Charge	\$ 22.10	\$ 23.63	\$ 25.16	\$ 26.69	\$ 28.21
Water first 115 cm (Domestic)	\$ 2.23	\$ 2.29	\$ 2.35	\$ 2.41	\$ 2.47
Water next 1,000 cm (Intermediate)	\$ 2.00	\$ 2.12	\$ 2.24	\$ 2.36	
Water over 1,115 cm (Wholesale)	\$ 1.82	\$ 1.98	\$ 2.14	\$ 2.30	
Wastewater (per cubic meter)	\$ 1.08	\$ 1.12	\$ 1.16	\$ 1.20	\$ 1.23
Minimum Quarterly Charge*	\$ 71.75	\$ 74.78	\$ 77.81	\$ 80.84	\$ 83.71
Wastewater Only Customers**	\$ 65.30	\$ 68.43	\$ 71.56	\$ 74.69	\$ 77.41
Bulk Water (per cubic meter)	\$ 4.10	\$ 4.10	\$ 4.10	\$ 4.10	\$ 4.10
Septic Truck Lagoon Tipping Fee (per gallon)	\$ 0.02	\$ 0.02	\$ 0.02	\$ 0.02	\$ 0.02

*Based on 15 cubic meters

**Based on 40 cubic meters plus quarterly service charge

Details of other rates can be found in Schedule A.

The reasons for the Board's decisions are under Board Findings.

2.0 Board Methodology

Review Process

When reviewing an application, the Board has at its disposal two approaches, a paper review process or a public hearing. After the publication of the Notice of Application, the Board considers the application and responses, if any, and determines which method of review is most appropriate. Whenever reasonable, the Board can review the application using a paper review process, which saves the cost of a public hearing.

Where there is an urgent need for initial or revised rates and the Board determines it to be in the best interest of all parties, the Board may establish interim *ex parte* rates.

Contingency Allowance and Utility Reserves

The Board's Water and Wastewater Rate Application Guidelines recommend an annual contingency allowance equal to 10% of the variable operating costs.

Working Capital

Board Order No. 93/09 established utilities should maintain a minimum working capital surplus, in an amount equal to 20% of annual expenses. The working capital surplus is the Utility fund balance, excluding any capital-related items plus Utility reserves.

Operating Deficits

By law, Manitoba utilities are not allowed to incur deficits. In the event that a deficit does occur, the Utility is required by *The Municipal Act* to obtain Board approval for both the deficit and recovery methodology. The Board is therefore bound to approve reasonable rates based on reasonable expense projections.

Cost Allocation Methodology

The Board requires all municipalities to review the costs shared between the general operations of the municipality and the Utility, and to allocate appropriate and reasonable costs to the Utility, based on a policy known as a Cost Allocation Methodology. This policy must be submitted to the Board for approval and cannot be changed without approval by the Board. The Board's requirements regarding cost allocation methodologies can be found in Board Order No. 93/09.

Unaccounted for Water

Water losses may be caused by such events as distribution line losses, service leaks, water used for fire fighting or line flushing, and under-registration of water meters. The Board Guidelines require utilities to compare the volume of water produced or purchased against the volume of water sold, to determine the percentage of unaccounted for water. Unaccounted for water volumes of approximately 10% are considered industry standard.

The Board expects any utility experiencing a greater volume of unaccounted for water to provide an explanation and plan to address the water losses.

3.0 Background

The Municipality of Roblin operates the Roblin Water and Wastewater utility and provides services to 837 customers.

Current utility rates have been in effect since July 1, 2010, having been approved in Board Order No. 129/08. The Utility has a 3 step water rate and a single step wastewater rate.

4.0 Application

On October 21, 2021, the Board received an application for revised water and wastewater rates for the Utility, and requested the Board approve the rates effective January 1, 2022 on an interim, *ex parte* basis. The application included a rate study prepared by the Municipality's consultant and By-law No. 8-21, having had first reading August 24, 2021.

The Municipality also applied to the Board for approval of operating deficits for the years 2011, 2012, 2013, 2014, 2015, 2017 and 2018. The total of the seven years of deficits is \$545,369. The Municipality has requested the Board grant approval of recovery of the deficits by a utility rate rider of \$0.58 per cubic meter over a period of seven years. The Municipality calculated the rate rider using the 2020 water volume sold of 134,590 cubic meters.

5.0 Board Findings

The Board grants approval of revised water and wastewater rates on an interim *ex parte* basis effective January 1, 2022. The Board grants approval of the recovery of the operating deficits by way of a rate rider of \$0.58 per cubic meter for a period of seven years, or until fully recovered, whichever comes first.

The current utility rates are inadequate; the Utility has been experiencing significant annual operating deficits since 2011.

The Board is bound to approve rates based on reasonable revenue requirements. There is no alternative source of funding for utility operations; these costs must be recovered through Utility rates paid by ratepayers.

The Municipality has demonstrated a lack of urgency in dealing with the ongoing financial issues experienced by the Utility. This is unacceptable, and is directly responsible for the deficits and resulting rate rider.

6.0 IT IS HEREBY ORDERED THAT:

1. The Municipality of Roblin's application for revised water and wastewater rates effective January 1, 2022 for the Roblin Water and Wastewater Utility on an interim *ex parte* basis, BE AND IS HEREBY APPROVED.
2. The Municipality of Roblin amend its water and wastewater rate By-Law for the Roblin Water and Wastewater Utility to reflect the decisions in this Order and submit a copy to the Public Utilities Board once it has received third and final reading.
3. The Municipality of Roblin's application for approval of the 2011, 2012, 2013, 2014, 2015, 2017 and 2018 operating deficits, with recovery through a utility rate rider of \$0.58 per cubic meter for a period of seven years, or until \$545,369 is recovered, whichever comes first, BE AND IS HEREBY APPROVED.

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure (Rules). The Board's Rules may be viewed on the Board's website at www.pubmanitoba.ca.


Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

"Shawn McCutcheon"
Panel Chair

"Jennifer Dubois, CPA, CMA"
Assistant Associate Secretary

Certified a true copy of Order No. 126/21
issued by The Public Utilities Board



Assistant Associate Secretary

MUNICIPALITY OF ROBLIN
SCHEDULE "A" – BY-LAW NO. 8-21
 SCHEDULE OF QUARTERLY RATES

SCHEDULE OF QUARTERLY RATES

January 1, 2022

1. Rates per cubic meters			Total
	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
First 115 cubic meters (Domestic)	\$2.23	\$1.08	\$3.31
Next 1,000 cubic meters (Intermediate)	\$2.00	\$1.08	\$3.08
Over 1,115 cubic meters (Wholesale)	\$1.82	\$1.08	\$2.90

Rate Rider per cubic meters of water sold (see Clause 3) \$0.58

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a) Water & Wastewater Customers

Meter Size	Group Capacity Ratio	Water Included Cubic Meters	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum	Wastewater Rate Rider	Water & Wastewater Total Quarterly Minimum with Rate Rider
5/8 inch	1	15	\$22.10	\$33.45	\$16.20	\$71.75	\$8.70	\$80.45
3/4 inch	2	30	\$22.10	\$66.90	\$32.40	\$121.40	\$17.40	\$138.80
1 inch	4	60	\$22.10	\$133.80	\$64.80	\$220.70	\$34.80	\$255.50
1 1/2 inch	10	150	\$22.10	\$326.45	\$162.00	\$510.55	\$87.00	\$597.55
2 inch	25	375	\$22.10	\$776.45	\$405.00	\$1,203.55	\$217.50	\$1,421.05
3 inch	45	675	\$22.10	\$1,376.45	\$729.00	\$2,127.55	\$391.50	\$2,519.05

b) Water Only Customers

The minimum charge will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

c) Wastewater Only Customers

The quarterly wastewater only charge is based on average quarterly consumption of 40 cubic meters plus the quarterly customer service charge $(40 * \$1.08) + \$22.10 = \$65.30$

d) Bulk Water

All water sold in bulk by the Roblin Utility shall be charged at the rate of: \$4.10 per cubic meter. Charges for water sold in bulk are payable at the time of delivery.

e) Septic Truck Lagoon Tipping Fee

The lagoon tipping fee for septic trucks is \$0.02 per gallon. Charges shall be based on septic truck size. Septic haulers must register with the Municipality of Roblin prior to being allowed access to the lagoon and shall maintain a log of lagoon use, including the recording of septic services provided to residents located outside the boundaries of the Municipality of Roblin.

SCHEDULE OF QUARTERLY RATES

January 1, 2023

1. Rates per cubic meters	Total		
	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
First 115 cubic meters (Domestic)	\$2.29	\$1.12	\$3.41
Next 1,000 cubic meters (Intermediate)	\$2.12	\$1.12	\$3.24
Over 1,115 cubic meters (Wholesale)	\$1.98	\$1.12	\$3.10

Rate Rider per cubic meters of water sold (see Clause 3) \$0.58

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a) Water & Wastewater Customers

	Group	Water	Customer	Water	Wastewater	Water & Wastewater	Water & Wastewater	
Meter	Capacity	Included	Service	Commodity	Commodity	Total Quarterly	Rate	Total Quarterly
Size	Ratio	Cubic Meters	Charge	Charge	Charge	Minimum	Rider	Minimum with Rate Rider
5/8 inch	1	15	\$23.63	\$34.35	\$16.80	\$74.78	\$8.70	\$83.48
3/4 inch	2	30	\$23.63	\$68.70	\$33.60	\$125.93	\$17.40	\$143.33
1 inch	4	60	\$23.63	\$137.40	\$67.20	\$228.23	\$34.80	\$263.03
1 1/2 inch	10	150	\$23.63	\$337.55	\$168.00	\$529.18	\$87.00	\$616.18
2 inch	25	375	\$23.63	\$814.55	\$420.00	\$1,258.18	\$217.50	\$1,475.68
3 inch	45	675	\$23.63	\$1,450.55	\$756.00	\$2,230.18	\$391.50	\$2,621.68

b) Water Only Customers

The minimum charge will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

c) Wastewater Only Customers

The quarterly wastewater only charge is based on average quarterly consumption of 40 cubic meters plus the quarterly customer service charge (40 * \$1.12) + \$23.63 = \$68.43

d) Bulk Water

All water sold in bulk by the Roblin Utility shall be charged at the rate of: \$4.10 per cubic meter. Charges for water sold in bulk are payable at the time of delivery.

e) Septic Truck Lagoon Tipping Fee

The lagoon tipping fee for septic trucks is \$0.02 per gallon. Charges shall be based on septic truck size. Septic haulers must register with the Municipality of Roblin prior to being allowed access to the lagoon and shall maintain a log of lagoon use, including the recording of septic services provided to residents located outside the boundaries of the Municipality of Roblin.

SCHEDULE OF QUARTERLY RATES

January 1, 2024

1. Rates per cubic meters	Total		
	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
First 115 cubic meters (Domestic)	\$2.35	\$1.16	\$3.51
Next 1,000 cubic meters (Intermediate)	\$2.24	\$1.16	\$3.40
Over 1,115 cubic meters (Wholesale)	\$2.14	\$1.16	\$3.30

Rate Rider per cubic meters of water sold (see Clause 3) \$0.58

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a) Water & Wastewater Customers

Meter Size	Group Capacity Ratio	Water Included Cubic Meters	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum	Water & Wastewater Rate Rider	Water & Wastewater Total Quarterly Minimum with Rate Rider
5/8 inch	1	15	\$25.16	\$35.25	\$17.40	\$77.81	\$8.70	\$86.51
3/4 inch	2	30	\$25.16	\$70.50	\$34.80	\$130.46	\$17.40	\$147.86
1 inch	4	60	\$25.16	\$141.00	\$69.60	\$235.76	\$34.80	\$270.56
1 1/2 inch	10	150	\$25.16	\$348.65	\$174.00	\$547.81	\$87.00	\$634.81
2 inch	25	375	\$25.16	\$852.65	\$435.00	\$1,312.81	\$217.50	\$1,530.31
3 inch	45	675	\$25.16	\$1,524.65	\$783.00	\$2,332.81	\$391.50	\$2,724.31

b) Water Only Customers

The minimum charge will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

c) Wastewater Only Customers

The quarterly wastewater only charge is based on average quarterly consumption of 40 cubic meters plus the quarterly customer service charge (40 * \$1.16) + \$25.16 = \$71.56

d) Bulk Water

All water sold in bulk by the Roblin Utility shall be charged at the rate of: \$4.10 per cubic meter. Charges for water sold in bulk are payable at the time of delivery.

e) Septic Truck Lagoon Tipping Fee

The lagoon tipping fee for septic trucks is \$0.02 per gallon. Charges shall be based on septic truck size. Septic haulers must register with the Municipality of Roblin prior to being allowed access to the lagoon and shall maintain a log of lagoon use, including the recording of septic services provided to residents located outside the boundaries of the Municipality of Roblin.

SCHEDULE OF QUARTERLY RATES

January 1, 2025

1. Rates per cubic meters	Total		
	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
First 115 cubic meters (Domestic)	\$2.41	\$1.20	\$3.61
Next 1,000 cubic meters (Intermediate)	\$2.36	\$1.20	\$3.56
Over 1,115 cubic meters (Wholesale)	\$2.30	\$1.20	\$3.50

Rate Rider per cubic meters of water sold (see Clause 3) \$0.58

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a) Water & Wastewater Customers

Meter Size	Group Capacity Ratio	Water Included Cubic Meters	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum	Water & Wastewater Rate Rider	Water & Wastewater Total Quarterly
								Minimum
5/8 inch	1	15	\$26.69	\$36.15	\$18.00	\$80.84	\$8.70	\$89.54
3/4 inch	2	30	\$26.69	\$72.30	\$36.00	\$134.99	\$17.40	\$152.39
1 inch	4	60	\$26.69	\$144.60	\$72.00	\$243.29	\$34.80	\$278.09
1 1/2 inch	10	150	\$26.69	\$359.75	\$180.00	\$566.44	\$87.00	\$653.44
2 inch	25	375	\$26.69	\$890.75	\$450.00	\$1,367.44	\$217.50	\$1,584.94
3 inch	45	675	\$26.69	\$1,598.75	\$810.00	\$2,435.44	\$391.50	\$2,826.94

b) Water Only Customers

The minimum charge will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

c) Wastewater Only Customers

The quarterly wastewater only charge is based on average quarterly consumption of 40 cubic meters plus the quarterly customer service charge (40 * \$1.20) + \$26.69 = \$74.69

d) Bulk Water

All water sold in bulk by the Roblin Utility shall be charged at the rate of: \$4.10 per cubic meter. Charges for water sold in bulk are payable at the time of delivery.

e) Septic Truck Lagoon Tipping Fee

The lagoon tipping fee for septic trucks is \$0.02 per gallon. Charges shall be based on septic truck size. Septic haulers must register with the Municipality of Roblin prior to being allowed access to the lagoon and shall maintain a log of lagoon use, including the recording of septic services provided to residents located outside the boundaries of the Municipality of Roblin.

SCHEDULE OF QUARTERLY RATES

January 1, 2026

1. Rates per cubic meters

	Total		
	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
Rates per cubic meters/quarter	\$2.47	\$1.23	\$3.70

Rate Rider per cubic meters of water sold (see Clause 3) \$0.58

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a) Water & Wastewater Customers

	Group	Water	Customer	Water	Wastewater	Water & Wastewater	Water & Wastewater	
Meter	Capacity	Included	Service	Commodity	Commodity	Total Quarterly	Rate	Total Quarterly
Size	Ratio	Cubic Meters	Charge	Charge	Charge	Minimum	Rider	Minimum with Rate Rider
5/8 inch	1	15	\$28.21	\$37.05	\$18.45	\$83.71	\$8.70	\$92.41
3/4 inch	2	30	\$28.21	\$74.10	\$36.90	\$139.21	\$17.40	\$156.61
1 inch	4	60	\$28.21	\$148.20	\$73.80	\$250.21	\$34.80	\$285.01
1 1/2 inch	10	150	\$28.21	\$370.50	\$184.50	\$583.21	\$87.00	\$670.21
2 inch	25	375	\$28.21	\$926.25	\$461.25	\$1,415.71	\$217.50	\$1,633.21
3 inch	45	675	\$28.21	\$1,667.25	\$830.25	\$2,525.71	\$391.50	\$2,917.21

b) Water Only Customers

The minimum charge will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

c) Wastewater Only Customers

The quarterly wastewater only charge is based on average quarterly consumption of 40 cubic meters plus the quarterly customer service charge ($40 * \$1.23$) + \$28.21 = \$77.41

d) Bulk Water

All water sold in bulk by the Roblin Utility shall be charged at the rate of: \$4.20 per cubic meter. Charges for water sold in bulk are payable at the time of delivery.

e) Septic Truck Lagoon Tipping Fee

The lagoon tipping fee for septic trucks is \$0.02 per gallon. Charges shall be based on septic truck size. Septic haulers must register with the Municipality of Roblin prior to being allowed access to the lagoon and shall maintain a log of lagoon use, including the recording of septic services provided to residents located outside the boundaries of the Municipality of Roblin.

The following clauses take effect January 1, 2022:**3. Deficit Rate Rider**

Deficit Rate Rider commencing January 1, 2022 for 2011 to 2015 and 2017 to 2018 audited deficits is calculated based on a 7 year recovery period as follows:

2011 actual audited deficit	\$68,568.
2012 actual audited deficit	\$47,496.
2013 actual audited deficit	\$70,256.
2014 actual audited deficit	\$112,737.
2015 actual audited deficit	\$82,950.
2017 actual audited deficit	\$79,342.
2018 actual audited deficit	<u>\$84,020.</u>
Total to recover	<u>\$545,369.</u>

Divided by water volume sold 134,590 cubic meters

Deficit Rate Rider, per cubic meter over 7 years: \$0.58 per cubic meter for 2022 to 2028, inclusive.

4. Service to Customers Outside Utility's Limits

The Council of the Municipality of Roblin may sign Agreements with customers for the provision of water and wastewater services to properties located outside the boundaries of Roblin Utility. Such Agreements shall provide for payment of the appropriate rates set out in this Schedule, as well as a surcharge, set by Resolution of Council, which shall be equivalent to the frontage levy, general taxes, and special taxes for the Utility purposes in effect at the time or may be in effect from time to time, and which would be levied on the property concerned if it were within Roblin Utility boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.

5. Billings and Penalties

Accounts shall be billed quarterly based on water used. A late payment penalty charge of 1.25% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen (14) days after the mailing of the bills.

6. Disconnection and Reconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the Municipality with respect to disconnection of service for non-payment including such matters as notice and the right to appeal such action to The Public Utilities Board. A copy of the conditions precedent is available for inspection at the Municipality's office.

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$40.00 have been paid.

7. Multi-Use Customers

If more than one business is carried on in a building, or if a building is used for both business and residential purposes, a separate minimum charge shall be made for each such business or residential premises, if connected to the water system.

8. Liability for Charges

Pursuant to Section 252 (2) of the Municipal Act, the amount of all outstanding charges for water and Wastewater services, including fines and penalties, are a lien and charge upon the land serviced, and may be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies

9. Hydrant Charges

The Municipality of Roblin, or any other hydrant owner, will pay to the Roblin Utility a fee of \$200 per hydrant for the purpose of maintaining and repairing all fire hydrants connected to the system which shall include the cost of water used for firefighting.

10. Water Meters

All new residential customers for water and wastewater shall be charged a turn-on service charge of \$40.00. Ownership, inspection and maintenance of meters will remain the responsibility of the utility system of the Municipality of Roblin. Commercial water meter maintenance will be the responsibility of the utility system of Roblin, however the commercial water customer will reimburse the Municipality for costs associated with the meter maintenance.

11. Re-checking of Meter Readings

Any customer requesting that their meter reading be checked for accuracy shall be levied a charge of \$10.00 on their next regular utility billing if the meter reading is found to have been read correctly in the first place.

12. Meter Testing

That in any case where a utility customer requests that a meter be tested for accuracy, the customer will provide the Municipality with a deposit of \$150. The Municipality will then remove the subject meter and send it to an independent lab for testing. If the meter is found to be faulty, all costs associated with the testing process will be borne by the Municipality and the deposit will be refunded to the customer and the customer's account will be adjusted for the preceding four (4) months. If the meter is found to be in proper working order, all costs associated with the testing process will be borne by the customer and the customer will be billed or refunded any balance owing.

13. Water Allowance Due to Line Freezing

That in any case where, at the request of Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.

14. Wastewater Surcharges

- a) There may be levied annually, in addition to the rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by Resolution of Council.
- b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial waste.

15. Conditions of Disrepair

In the event that there are conditions of disrepair in the wastewater and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.